IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ELECTION SYSTEMS & SOFTWARE, INC.,	CASE NO. 8:09-cv-297
Plaintiff,	
v.	**NOTICE OF DISMISSAL PURSUANT TO RULE 41**
PARAMOUNT PRINTING,	
Defendant.	

Plaintiff, Election Systems & Software, Inc., hereby gives notice of the dismissal of this action pursuant Fed. R. Civ. Rule 41(a)(1)(A)(i). Plaintiff states to the Court that Defendant has not been served with this lawsuit and therefore no answer has ever been filed or motion for summary judgment.

Plaintiff also states that there have been no previous dismissals of any other actions in either a federal or state court regarding this same claim.

Dated this 1st day of December, 2009.

ELECTION SYSTEMS & SOFTWARE,
INC., Plaintiff,

By:*/s/ Michael C. Cox*

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<u>CERTIFICATE OF SERVICE</u>

I hereby certify that on December 1, 2009, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system.

*s/ Michael C. Cox*_____